

- 1** Jack DiCanio (SBN 138782)
Caroline Van Ness (SBN 281675)
- 2** SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
- 3** 525 University Avenue
Palo Alto, California 94301
- 4** Telephone: (650) 470-4500
Facsimile: (650) 470-4570
- 5** Email: jack.dicarlo@skadden.com
Email: caroline.vanness@skadden.com

7 Steven C. Sunshine (*pro hac vice*)
Julia K. York (*pro hac vice*)
SKADDEN, ARPS, SLATE, MEAGHER &
8 FLOM LLP
1440 New York Avenue, N.W.
9 Washington, DC 20005-2111
Telephone: (202) 371-7000
10 Facsimile: (202) 393-5760
Email: steven.sunshine@skadden.com
11 Email: julia.york@skadden.com

12 | Counsel for Defendant Activision Blizzard, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

18 | FEDERAL TRADE COMMISSION,

Case No. 3:23-cv-02880-JSC

19 Plaintiff,

**DECLARATION OF PAGE ROBINSON IN
SUPPORT OF DEFENDANT ACTIVISION
BLIZZARD, INC.'S STATEMENT IN
RESPONSE TO PLAINTIFF FEDERAL
TRADE COMMISSION'S
ADMINISTRATIVE MOTIONS TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (Civil L.R. 79-5(f)) [ECF NOS.
128, 183, 200, and 213]**

20 v.
21 MICROSOFT CORP.,
and
22 ACTIVISION BLIZZARD, INC.

Defendants.

Judge: Hon. Jacqueline Scott Corley

1 I, Page Robinson, declare as follows:

2 1. I am a Senior Director of Litigation and Intellectual Property at Activision
3 Blizzard, Inc. (“Activision”). I submit this declaration in support of Activision’s Statement
4 in Response to Plaintiff Federal Trade Commission’s Administrative Motions to Consider
5 Whether Another Party’s Material Should be Sealed. In my role, I have personal
6 knowledge of Activision’s use and protection of non-public, highly sensitive, and
7 confidential business information, including the information at issue here.

8 2. I have personal knowledge of the facts set forth below, and I can and would
9 competently testify to such facts if called to do so.

10 3. I have reviewed and am familiar with the portions of Plaintiff’s Exhibit Lists
11 that Plaintiff filed under seal because they contained information designated by Activision
12 as “Confidential.” Such information is identified in Plaintiff’s Administrative Motions to
13 Consider Whether Another Party’s Material Should be Sealed (ECF Nos. 128, 183, 200,
14 213) (“Administrative Motions”).

15 4. As set forth in the Statement in Response to the Administrative Motions,
16 certain limited portions identified in Plaintiff’s Administrative Motions contain non-public
17 and highly sensitive information, including, but not limited to, information reflecting
18 Activision’s internal decision-making processes, strategic evaluation of forward-looking
19 opportunities, business partnerships and negotiations, and internal business strategy.

20 5. This information could be used to injure Activision if made publicly
21 available, and it would cause competitive harm to Activision if the above information was
22 publicly disclosed. For example, disclosure of this information would give Activision’s
23 competitors insight into Activision’s strategies, plans, and assessments regarding potential
24 opportunities, and those competitors may alter their strategic plans or offerings if they
25 knew Activision’s strategies and plans. Disclosure of this information would also harm
26 Activision by allowing its competitors to circumvent the time and resources expended by

27
28

1 Activision in developing its internal practices and strategies. Disclosure of this information
2 would further harm Activision's negotiating position with its business partners.

3 6. Activision takes robust measures to maintain the confidentiality of all the
4 above-described information, including limiting internal disclosure of some of this
5 information to persons on a need-to-know basis, and does not disclose it publicly. All of
6 this information was designated as confidential pursuant to Section 21 of the FTC Act, 15
7 U.S.C. § 57b-2, and/or as Confidential pursuant to the Protective Order Governing
8 Confidential Material entered on December 9, 2022 in *In the matter of Microsoft Corp. &*
9 *Activision Blizzard, Inc.* Docket No. 9412 (FTC). This information is also Confidential
10 under the operative protective order in this case (ECF Nos. 115-1, 170). For these reasons,
11 Activision respectfully requests that the Court order the portions set forth in its Statement
12 in Response to the Administrative Motions to be sealed.

13 I declare under penalty of perjury under the laws of the United States of America
14 that the foregoing is true and correct to the best of my knowledge and belief.

15

16 Executed on June 27, 2023, in San Francisco, California.

17

/s/ Page Robinson
Page Robinson

18

19

20

21

22

23

24

25

26

27

28

1 **SIGNATURE ATTESTATION**

2 Pursuant to Civil Local Rule 5-1(h)(3), I attest under penalty of perjury that
3 concurrence in the filing of this document has been obtained from any other signatory to
4 this document.

5
6 Dated: June 27, 2023

/s/ *Caroline Van Ness*
7 Caroline Van Ness

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28